A SUBSTITUTE RESOLUTION BY CITY UTILITIES COMMITTEE

AUTHORIZING THE MAYOR OR HER DESIGNEE TO ENCUMBER PHASE THREE (3) FUNDING IN THE AMOUNT OF ELEVEN \$11,823,328.50 FOR THE AGREEMENT WITH ATLANTIC SKANSKA, INC., FC-3005007865, WEST AREA CSO TREATMENT PLANT PROJECT, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT; ALL CONTRACTED WORK WILL BE CHARGED TO AND PAID FROM FUND, ACCOUNT AND CENTER NUMBER: 2J21 (WATER & WASTEWATER RENEWAL & EXTENSION FUND) 574001 (FACILITIES OTHER THAN BUILDINGS) Q381029094DA (WEST AREA CSO TREATMENT PLANT); AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") entered into an agreement for FC-3005007865, West Area CSO Treatment Plant Project ("Project") with Atlantic Skanska, Inc. on September 1, 2005; and

WHEREAS, the Project is required by the City's Consent Decree with the Georgia Environmental Protection Division, U.S. Environmental Protection Agency and the Upper Chattahoochee Riverkeeper; and

WHEREAS, the City Council adopted 05-R-1341, which authorized the contract and provided for phased funding of the Project, with a total contract amount not to exceed Forty Seven Million Two Hundred Ninety Three Thousand Three Hundred Fourteen Dollars and No Cents (\$47,293,314.00); and

WHEREAS, the Department of Watershed Management did appropriate funds for Year 1 of the Project in an amount of Eleven Million Eight Hundred Twenty Three Thousand Three Hundred Twenty Eight Dollars and Fifty Cents (\$11,823,328.50) as adopted by the City Council in 05-R-1341; and

WHEREAS, the Department of Watershed Management did appropriate funds for Phase Two (2) in an amount of Twenty Three Million Six Hundred Forty Six thousand Six Hundred Fifty Seven Dollars and No Cents (\$23,646,657.00) as adopted by the Council in 06-R-0502; and

WHEREAS, sufficient funds are available for the 2006 calendar year and the cash flow projections for the Phase Three (3) final funding require Eleven Million Eight Hundred Twenty Three Thousand Three Hundred Twenty Eight Dollars and Fifty Cents (\$11,823,328.50).

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor or her designee is authorized to encumber Phase Three (3), final funding, for FC-3005007865, West Area CSO Treatment Plant

Project with Atlantic Skanska, Inc, for the 2006 calendar year of the agreement in an amount of \$11,823,328.50.

BE IT FURTHER RESOLVED, that the City has adhered to the terms and conditions of the Phase Three (3) Funding requirements for this agreement.

AND FINALLY BE IT RESOLVED, that all contracted work will be charged to and paid from Fund, Account and Center Number 2J21 (Water & Wastewater Renewal & Extension Fund) 574001 (Facilities Other Than Buildings) Q38I029094DA (West Area CSO Treatment Plant).



A RESOLUTION BY CITY UTILITIES COMMITTEE

06-R-1948

AUTHORIZING THE MAYOR TO EXECUTE RENEWAL AGREEMENT NO. 1 WITH ATLANTIC SKANSKA, INC. FOR FC-3005007865, WEST AREA CSO TREATMENT PLANT PROJECT, AND TO ENCUMBER PHASE THREE FUNDING IN THE AMOUNT OF ELEVEN MILLION EIGHT HUNDRED TWENTY-EIGHT TWENTY-THREE **THOUSAND** THREE HUNDRED DOLLARS AND FIFTY CENTS (\$11,823,328.50), ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT; ALL CONTRACTED WORK WILL BE CHARGED TO AND PAID FROM FUND, ACCOUNT AND CENTER NUMBER: 2J21 (WATER & WASTEWATER RENEWAL & EXTENSION FUND) 574001 (FACILITIES OTHER THAN BUILDINGS) Q38I029094DA (WEST AREA CSO TREATMENT PLANT); AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") entered into an agreement for FC-3005007865, West Area CSO Treatment Plant Project ("Project") with Atlantic Skanska, Inc.; and

WHEREAS, the City is subject to Consent Decrees entered in *Upper Chattahoochee Riverkeeper Fund, Inc. et al. v. City of Atlanta*, Civil Action No. 1:95-CV-2250-TWT, and the *United States of America et al. v. The City of Atlanta*, Civil Action File No. 1:98-CV-1956-TWT, in the United States District Court, Northern District of Georgia, and pursuant to said Consent Decrees and Environmental Protection Agency and Environmental Protection Division approved plans, the City agreed to certain remedial actions; and

WHEREAS, the Project is funded on an annual basis using Phased Funding approved by City Council on August 15,2005 and approved by the Mayor on August 22, 2005 under Resolution 05-R-1341; and

WHEREAS, the Department of Watershed Management requires Phase Three Funding for the 2007 calendar year in the amount of Eleven Million Eight Hundred Twenty-Three Thousand Three Hundred Twenty-Eight Dollars and Fifty Cents (\$11,823,328.50).

WHEREAS, the Commissioner of the Department of Watershed Management and the Chief Procurement Officer recommend the execution of Renewal Agreement No. 2 with Atlantic Skanska, Inc., for FC-3005007865, West Area CSO Treatment Plant Project.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor is authorized to execute Renewal Agreement No. 2 with Atlantic Skanska, Inc. for FC-3005007865, West Area CSO Treatment Plant Project.

BE IT FURTHER RESOLVED, the Agreement will be for the amount of Eleven Million Eight Hundred Twenty-Three Thousand Three Hundred Twenty-Eight Dollars and Fifty Cents (\$11,823,328.50) for Phase Three Funding.

BE IT FURTHER RESOLVED, that the City Attorney is directed to prepare an appropriate agreement for execution by the Mayor.

BE IT FURTHER RESOLVED, that the Agreement will not become binding on the City and the City will incur no obligation nor liability under it until it has been executed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney and delivered to Atlantic Skanska, Inc.

AND FINALLY BE IT RESOLVED, that all contracted work will be charged to and paid from Fund, Account and Center Number 2J21 (Water & Wastewater Renewal & Extension Fund) 574001 (Facilities other than Buildings) Q38I029094DA (West Area CSO Treatment Plant).

LEGISLATIVE SUMMARY

TO: CITY UTILITIES COMMITTEE

CAPTION

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE RENEWAL AGREEMENT NO. 1 WITH ATLANTIC SKANSKA, INC. FOR FC-3005007865, WEST AREA CSO TREATMENT PLANT PROJECT, AND TO ENCUMBER PHASE THREE FUNDING IN THE AMOUNT OF ELEVEN MILLION EIGHT HUNDRED TWENTY THREE THOUSAND THREE HUNDRED TWENTY EIGHT DOLLARS AND FIFTY CENTS (\$11,823,328.50), ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT; ALL CONTRACTED WORK WILL BE CHARGED TO AND PAID FROM FUND, ACCOUNT AND CENTER NUMBER: 2J21 **EXTENSION** 574001 WASTEWATER RENEWAL & FUND) (WATER & (CONSULTANT/PROFESSIONAL SERVICES) Q38I029094DA (WEST AREA **CSO** TREATMENT PLANT); AND FOR OTHER PURPOSES.

Council Meeting Date: September 5, 2006

Legislation Title: 3005007865, West Area CSO Treatment Plant Project, Phased

Two funding

Requesting Dept.: Department of Watershed Management

Contract Type: Construction

Contractor: Atlantic Skanska Inc.

Estimated Value: \$47,293,314.00

Background: The scope of this resolution is to provide funding for the 2006

calendar year for the West Area CSO Treatment Plant Project in an amount not to exceed \$11,823,328.50. An Agreement, FC-3005007865, with Atlantic Skanska Inc. was approved and funded for 2005 with phased funding under resolution

#05-R-1341.

Administrative Team: Representatives from the Department of Watershed Management

Term of Contract: The term of this agreement is Seven Hundred Seventy Five (775)

calendar days for substantial completion and Eight Hundred Sixty Five (865) calendar days for full completion. Unit prices in an amount not to exceed phase funded periods over the

duration of the project are indicated as follows:

Base Year 25% Second Year 50% Third Year Balance **Fund Account Centers:**

All contracted work shall be charged to and paid from fund account and center numbers: 2J21 (Water & Wastewater Renewal & Extension Fund) 574001 (Consultant/Professional Services) Q38I029094DA (West Area CSO Treatment Plant).

Prepared By: Anthony Stanley, Contracting Officer

Contact Number: (404) 330-6384

Legislation White Paper

To: City Utilities Committee

Caption

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE RENEWAL AGREEMENT NO. 1 WITH ATLANTIC SKANSKA, INC. FOR FC-3005007865, WEST AREA CSO TREATMENT PLANT PROJECT, AND TO ENCUMBER PHASE THREE FUNDING IN THE AMOUNT OF ELEVEN MILLION EIGHT HUNDRED TWENTY THREE THOUSAND THREE HUNDRED TWENTY EIGHT DOLLARS AND FIFTY CENTS (\$11,823,328.50), ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT; ALL CONTRACTED WORK WILL BE CHARGED TO AND PAID FROM FUND, ACCOUNT AND CENTER NUMBER: 2J21 FUND) 574001 WASTEWATER **EXTENSION** RENEWAL & & (WATER AREA **CSO** O38I029094DA (WEST (CONSULTANT/PROFESSIONAL SERVICES) TREATMENT PLANT); AND FOR OTHER PURPOSES.

Council Meeting Date: 9/05/06

Legislation Title: Resolution to approve Phase Three (3) Funding for the base 2007

calendar year for the contract price in an amount of Eleven Million Eight Hundred Twenty Three Thousand Three hundred Twenty-Eight Dollars and Fifty Cent (\$11,823,328.50) for FC-3005007865, West Area CSO Treatment Plant on behalf of the Department of Watershed Management

Requesting Depts.: Department of Watershed Management

Contract Type: Professional Services

Source Selection: Sealed Bid

FC- Number Assignment

Date: June 8, 2005

Date Advertised: June 10, 2005

Pre Bid Date: June 28, 2005

Bids/Proposals Received: July 20, 2005

Anticipated Contract

Execution Date: September 1, 2005

Invitations Issued: 210

RFQ Due Date: February 23, 2005

RFQ Advertised: January 30, 2005

RFQ

Invitations Issued: 150

Pre-Qualification

Conference: February 8, 2005

Bids/Quotes Received:

5

Bidders/Proponents:

Archer Western Contractor

(\$52,940,662.00)

Atlantic Skanska Inc. (\$47,293,314.00)

Western Summit Construction Inc.

(\$49,232,000.00)

Addendums: 1 (Clarification of the Scope and Extension of Time from July 20, 2005)

to July 21, 2005 for project due date) for FC-3005007865. Also, Addendum No. 1 changed the EBO requirements for Joint Venture has

stated in the Bid Document to Mentor/Protégé.

Justification Statement: The Department of Watershed Management issued a NTP on September

1, 2005 in order to meet Consent Decree compliance requirements.

Background: A Notice to Proceed for this project was issued no later than September

1, 2006 in order to meet Consent Decree compliance requirements. Bids for this project were due at 1:59 p.m. on July 20, 2005. The recommendation, requisition and completed legislation were available for Committee on Wednesday, July 20. The work to be performed under this contract is limited to the West Area Combined Sewage Overflow Treatment Plant & Dechlorination Facility. The work to be preformed under this contract includes installation, Testing and Startup of all facilities and new treatment equipment and monitoring and Controls.

Original Agreements -Executed on Sept. 1, 2005 Expires on August

31,2006

Renewal Agreement No. currently in Council

Base Year 25% (Phase One Funding \$ 11,823,328.50)
Second Year 50% (Phase Two Funding \$ 23,646,657.00)
Third Year Balance. (Phase Three Funding \$ 11,823,328.50)

Fund Account Center:

2J21 (Water & Wastewater Renewal & Extension Fund) 574001 (Consultant/Professional Services) Q38I029094DA (West Area CSO Treatment Plant).

Other City of Atlanta contracts:

Alberici Construction None

Archer Western Contractors

FC-7319-01, I285 Bridge Structure with Archer Western Constructors, LTD for the Construction of the I285 Bridge Structures for the 5th Runway at Hartsfield Atlanta International Airport in an amount not to exceed \$159,500,000.00.

FC-7175-99, East Area Combined Sewer Overflow and Intrenchment Creek Water Reclamation Center Facilities Improvements Phase II on behalf of the Department of Public Works in an amount not to exceed \$6,908,000.00.

FC-7150-99, Bolton Road and Philip Lee Drive Pump Station Improvements on behalf of the Department of Public Works in an amount not to exceed \$2,752,000.00.

FC-7085-99, East Area Combined Sewer Overflow (CSO) and Intrenchment Creek Water Reclamation Center Facilities Improvements on behalf of the Department of Public Works in an amount not to exceed \$26,084,374.00.

FC-5264-92; Hemphill Pump Station and Clearwell Improvements, with Archer Western Contractors LTD/Capital City Contracting Co., Inc., a joint venture, in the amount of \$7,250,000.00

Atlantic Skanska Inc. None

Pizzagalli Construction Co.

FC-3004007809, South River WRC Upgrades Agreement on behalf of the Department Watershed Management in an amount not to exceed \$3,514,000.00.

FC-7305-00, Utoy Creek Water Reclamation Center Improvements, Phase 2A on behalf of the Department of Public Works in an amount not to exceed \$21,027,000.00.

FC-6893-97, R. M. Clayton Water Reclamation Center Secondary Improvements, Phase 3 on behalf of the Department of Public Works in an amount not to exceed \$104, 712, 00.00.

Western Summit Construction Inc.

FC-3004007826, Intrenchment Creek CSO Treatment Plant Agreement on behalf of the Department of Watershed Management in an amount not to exceed \$28,606,000.00. All contracted work for the base year in the amount of \$14,303,000.00.

FC-7134-99, Design/Build of Nancy Creek Trunk Sewer Capacity Management Facility on behalf of the Department of Watershed Management in an amount not to exceed \$31,000,000.00.

FC-7168-00, Design/Build of the Chattahoochee Washwater Holding Tank and Sludge Thickeners on behalf of the Department of Water in an amount not to exceed \$10,068,390.00.

FC-6893-97, R. M. Clayton Water Reclamation Center Secondary Improvements, Phase 3 on behalf of the Department of Public Works in an amount not to exceed \$104,712,00.00.

FC-6850-97, R. M. Clayton Water Reclamation Center Odor Control Facilities on behalf of the Department of Public Works for an amount not to exceed \$13,674,701.00.

FC-6868-97, Utoy Creek Water Reclamation Center Improvements on behalf of the Department of Public Works for an amount not to exceed one hundred eight million one hundred ninety thousand dollars and no cents (\$108,190,000.00).

FC-6622-96 South River Water Reclamation Center Solids Handling Improvements, on behalf of the Department of Public Works in an amount not to exceed \$6,207,032.

Term of Contract:

Not to exceed one (1) year and will terminate absolutely and without further obligation on the part of the City at the close of the calendar year (December 31st) in which it is executed and at the close (midnight December 31st) of each succeeding calendar year for which it is renewed. The agreement will contain two (2) annual renewable options at the sole discretion of the City.

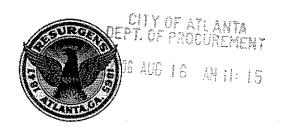
The project will be funded in phases over the duration of the project. The initial and each subsequent funding period shall not exceed twelve (12) months. The Agreement or Agreements awarded for this project will terminate immediately and absolutely at such time as the appropriated or otherwise unobligated funds are not longer available to satisfy the obligations of the City.

Method of Cost Recovery: Not applicable

Prepared By: Anthony Stanley, Contracting Officer

Contact Number: (404) 330-6384

FILE COPY



SHIRLEY FRANKLIN MAYOR

CITY OF ATLANTA

55 TRINITY AVENUE., SW, SUITE 5400, SOUTH BLDG. ATLANTA, GEORGIA 30303-0324 OFFICE (404) 330-6081 FAX (404) 658-7194 DEPARTMENT OF
WATERSHED MANAGEMENT
ROBERT J. HUNTER
Commissioner

August 11, 2006

TO:

Megan Middleton, Legislative Counsel

Department of Law

FROM:

O Robert J. Hunter, Commissioner

Department of Watershed Managemen

RE:

LEGISLATIVE REQUEST FOR

FC-3005007865, West Area CSO Treatment Plant

RENEWAL AGREEMENT NO. 2 Contractor: Atlantic Skansak, Inc.

Please prepare the appropriate legislation for <u>Cvcle 15 (September 5, 2006)</u> for the purpose of renewing the above-referenced contract with Atlantic Skansak, Inc.

Renewal No. 2 in the amount of \$11,823,328.50 represents the balance of the contract award. All terms, conditions, pricing, etc. shall remain the same. Attached is the requisition identifying the appropriate fund-account-center number.

If you have any questions concerning this matter, please feel free to contact Sabrina D. Watts, Watershed Manager, or Willie M. Canidate, Contracting Officer, Sr., at (404) 330-6335.

Your assistance in this matter is requested and appreciated.

/gjc

c: Sheila Pierce, DWM

Benjamin Kuku, DW

Adam L. Smith, DOP

Cathy Martin, DOP April Daniels, DF

Sabrina D. Watts, DWM

Maisha Land, DWM

Willie M. Canidate, DWM

File



CITY OF ATLANTA DEPT. OF PROGUREMENT 2006 AUG 16 AM 11: 35

SHIRLEY FRANKLIN MAYOR

CITY OF ATLANTA

55 TRINITY AVENUE., SW, SUITE 5400, SOUTH BLDG. ATLANTA, GEORGIA 30303-0324 OFFICE (404) 330-6081 FAX (404) 658-7194 DEPARTMENT OF
WATERSHED MANAGEMENT
ROBERT J. HUNTER
Commissioner

August 11, 2006

TO:

Megan Middleton, Legislative Counsel

Department of Law

FROM:

O Robert J. Hunter, Commissioner

Department of Watershed Management

RE:

LEGISLATIVE REQUEST FOR

FC-3005007865, West Area CSO Treatment Plant

RENEWAL AGREEMENT NO.2 (Contractor: Atlantic Skansak, Inc.

Please prepare the appropriate legislation for <u>Cycle 15 (September 5, 2006)</u> for the purpose of renewing the above-referenced contract with Atlantic Skansak, Inc.

Renewal No. 2 in the amount of \$11,823,328.50 represents the balance of the contract award. All terms, conditions, pricing, etc. shall remain the same. Attached is the requisition identifying the appropriate fund-account-center number.

If you have any questions concerning this matter, please feel free to contact Sabrina D. Watts, Watershed Manager, or Willie M. Canidate, Contracting Officer, Sr., at (404) 330-6335.

Your assistance in this matter is requested and appreciated.

/gjc

c: Sheila Pierce, DWM
Benjamin Kuku, DW
Adam L. Smith, DOP
Cathy Martin, DOP
April Daniels, DF
Sabrina D. Watts, DWM
Maisha Land, DWM
Willie M. Canidate, DWM
File



CITY OF ATLANTA

SHIRLEY FRANKLIN MAYOR OFFICE OF CONTRACT COMPLIANCE 55 TRINITY AVENUE, S.W. SUITE 1700 ATLANTA, GEORGIA 30303 OFFICE (404) 330-6010 FAX (404) 658-7359

MEMORANDUM

TO:

Adam L. Smith, Chief Procurement Officer

Department of Procurement

FROM:

Hubert Owens, Acting Director

Office of Contract Compliance

DATE:

July 22, 2005

RE:

Recommendation for FC 3005007865, West Area CSO Treatment Plant

The Office of Contract Compliance has reviewed the three (3) bids for minority and female business enterprise participation. All three bidders are eligible under Section 2-1449(a)(2)(C) of the Equal Business Opportunity Code of Ordinances and have been deemed responsive by the Office of Contract Compliance. For your information, they have committed to utilize AABEs, HBEs, ABEs and FBEs as indicated below:

Atlantic Skanska, Inc.

Lewis Trucking & Grading, Inc.	(Protégé)	AABE	12.80%
The Artis Group		AABE	11.50%
CJB Contracting, Inc.		AABE	2.70%
Willis Professional Services, Inc.		FBE	7.90%
M.A.R. Trucking, Inc.		FBE	7.80%
Ram Tool & Supply Co. Inc.	···	FBE	1.30%
Participation Total			44%

Western Summit Constructors, Inc.

CJB Contracting, Inc. (Protégé)	AABE	13.25%
Steel King		5.51%
Thrasher Trucking, LLC	AABE	0.18%
Carolyn's Hauling, Inc.	FBE	0.49%
Giavanna Constructors, Inc.	FBE	4.06%
Procurement Solutions, Inc.	FBE	7.02%
Llamas Coatings, Inc.	HBE	0.97%
Gajjar Engineering Systems	ABE	0.30%
Participation Total		31.78%

Adam L. Smith July 22, 2005 Page 2

Archer Western Contractors, Ltd.

The Artis Group (Protégé)	AABE	8%
CJB Contracting, Inc.	AABE	20%
J.T.T.Trucking & Equipment	AABE	.34%
Llamas Coatings, Inc.	HBE	.68%
Gajarr Engineering Services	ABE	.23%
Gallet & Associates, Inc.	FBE	.25%
Anasteel & Supply Co., LLC	FBE	3.54%
Participation Total	3	3.04%

If you have questions, please contact me at (404) 330-6010 or Bruce T. Bell at (404) 330-6009.

CC: File

Anthony Stanley, DOP

TRANSMITTAL FORM FOR LEGISLA'TION

TO: MAYOR'S OFFICE	ATTN: GREG PRIDGEON
TO: MAYOR'S OFFICE Legislative Counsel (Signature): _Megan S. Middleton_ Contact Number:6207	Megan Muddle All
Contact Number: 6207	
Originating Department: _Watershed Management	
Committee(s) of Purview:City Utilities	
Council Deadline:_August 15, 2006	
Committee Meeting Date(s): August 29, 2006Full Co Commissioner Signature Robert CAPTION	ouncil Date: Sept. 5, 2006
A RESOLUTION AUTHORIZING THE MAYON AGREEMENT NO. 1 WITH ATLANTIC SKANSKA AREA CSO TREATMENT PLANT PROJECT, AND FUNDING IN THE AMOUNT OF ELEVEN MILLI THREE THOUSAND THREE HUNDRED TWENTY CENTS (\$11,823,328.50), ON BEHALF OF THE DIMANAGEMENT; ALL CONTRACTED WORK WILLIAM FROM FUND, ACCOUNT AND CENTER NUMBER: RENEWAL & EXTENSION FUND) 574001 SERVICES) Q381029094DA (WEST AREA CSO TROTHER PURPOSES.	, INC. FOR FC-3005007865, WEST TO ENCUMBER PHASE THREE ON EIGHT HUNDRED TWENTY Y EIGHT DOLLARS AND FIFTY DEPARTMENT OF WATERSHED LL BE CHARGED TO AND PAID 2J21 (WATER & WASTEWATER (CONSULTANT/PROFESSIONAL
FINANCIAL IMPACT (if any) \$11,823,328.50	
Mayor's Staff Only	
Received by Mayor's Office: 8 21/06 PRevious Submitted to Council: 8 22/06	ewed by:
(ddte)	